

MAA

Office Memorandum • UNITED STATES GOVERNMENT

TO : Deputy Director (Administration)
FROM : Legislative Counsel
SUBJECT: Retroactive pay for CIA employees.
Weekly Report No. 1

DATE: 15 December 1951


1. Increases in the basic rates of compensation for CIA employees have been granted effective 24 October 1951. However, the Comptroller General has ruled that retroactive payment of such increases for the period beginning with the first day of the first pay period after June 30, 1951 and ending October 23, 1951 can only be granted by legislative approval.

2. The Bureau of the Budget is presently preparing legislation to secure the retroactive pay for all Government employees for whom legislative authority is necessary in order to make retroactive payments.

3. On 13 December Mr. Roger Jones, Assistant Director of the Bureau of the Budget for Legislative Reference asked that CIA send him a letter requesting inclusion in such legislation with any suggestions we might have. Mr. Jones believes that the matter will be discussed by the Bureau of the Budget with the President on 21 December. This letter is now in preparation for the signature of the Deputy Director (Administration).

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OGC Has Reviewed


Walter L. Pforzheimer

WLP/blc
cc - Comptroller
Col. Hansen

Approved For Release 2003/04/25 : CIA-RDP90-00610R000100060001-0

Office Memorandum • UNITED STATES GOVERNMENT

TO : Deputy Director (Administration)

FROM : Legislative Counsel

SUBJECT: CIA Legislative Program, 1952
Weekly Report No. 1

DATE: 15 December 1951

Proposals for items to be included in CIA legislation
for 1952 have been submitted to the Deputy Director (Adminis-
tration).

STAT



Walter L. Pforzheimer

WLP/blc
cc - Col. Hansen

Deputy Director (Administration)

12 January 1952

Legislative Counsel

Retroactive pay for CIA employees
Weekly Report No. 2

1. Mr. Roger Jones, Assistant Director for Legislative Reference of the Bureau of the Budget, informed me this week that the President is planning to discuss with his legislative leaders the question of retroactive pay for those government employees who did not receive such payments under the pay raise legislation of 1951. It is proposed to include appropriate wording for such payments in supplemental appropriation legislation when the latter is submitted to the Congress. Care will be taken to make sure that any legal language submitted will be broad enough to include CIA employees.

2. Substantive legislation authorizing the payment of retroactive pay for those excluded under the pay act of 1951 has already been introduced in Congress and referred to the House Committee on Post Office and Civil Service. However, both the Administration and Committee personnel are of the opinion that substantive legislation is not needed and will not be considered, and that the whole matter should be taken care of by appropriate language in Supplemental Appropriations.

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WALTER L. PFORZHEIMER

WLP:imm

Distribution:

- Orig & 1 - Add
- 1 - Colonel Hansen
- 1 - Comptroller
- 2 - Leg. Counsel

Approved For Release 2003/04/25 : CIA-RDP90-00610R000100060001-0
Office Memorandum • UNITED STATES GOVERNMENT


TO : Deputy Director (Administration)
FROM : Legislative Counsel
SUBJECT: CIA Legislative Program, 1952
Weekly Report No. 2

DATE: 19 January 1952

1. DD/A has authorized exploratory discussions with the Bureau of the Budget regarding legislation which CIA may need during the coming year. Mr. Pforzheimer, Mr. Houston and Mr. Saunders will meet with Mr. Roger Jones, Assistant Director of the Bureau of the Budget for Legislative Reference, on Monday, January 21 to discuss the various legislative items in which CIA is interested.

2. No decision has as yet been reached by the Director in regard to proposed increases in salary for himself and the Deputy Director.

STAT


Walter L. Pforzheimer

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Deputy Director (Administration) DATE: 19 January 1964
FROM : Legislative Counsel
SUBJECT: Retroactive pay for CIA employees.
Weekly Report No. 3.

There have been no new developments since week v
report No. 2.

Walter L. Pforzheimer

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Approved For Release 2003/04/25 : CIA-RDP90-00610R000100060001-0

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Deputy Director (Administration)

DATE: 26 January 1952

FROM : Legislative Counsel

SUBJECT: Retroactive pay for CIA employees.

Weekly Report No. 4

See paragraphs 1 and 8 of Memorandum for the Record, dated
24 January 1952, Subject: CIA Legislation, copy attached.

Walter L. Pforzheimer

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STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Deputy Director (Administration)

DATE: 26 January 1952

FROM : Legislative Counsel

SUBJECT: CIA Legislative Program, 1952
Weekly Report No. 3

See paragraphs 1 through 7 of Memorandum for the Record,
dated 24 January 1952, Subject: CIA Legislation, copy attached.

Walter L. Pforzheimer

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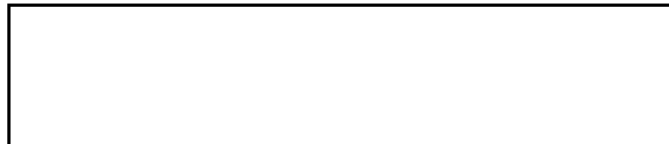
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Office Memorandum • UNITED STATES GOVERNMENT

TO : Deputy Director (Administration)
FROM : Legislative Counsel
SUBJECT: Retroactive pay for CIA employees
Weekly Report No. 5

DATE: 2 February 1961

The Supplemental Appropriation Bill containing language to authorize the payment of retroactive pay will be submitted to the Congress in about a week. However, the Bureau of the Budget has not yet made the final language available for study.



Walter L. Pforzheimer

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FOIAB5

Approved For Release 2003/04/25 : CIA-RDP90-00610R000100060001-0

9 February 1952

Deputy Director (Administration)

Legislative Counsel

Retroactive pay for CIA employees
Weekly Report No. 6

1. The Bureau of the Budget has prepared language for inclusion in a Supplemental Appropriation bill which will authorize payment by CIA of the retroactive pay.

2. This language has the approval of the CIA General Counsel. The bill, however, has not yet been submitted to the Congress.

STAT

Walter L. Pforzheimer

9 February 1952

Deputy Direrector (Administration)

Legislative Counsel

CIA Legislative Program, 1952
Weekly Report No. 5

STAT

1. There are no new developments to report.

WALTER L. PFORZHEIMER

1 March 1952

Memorandum for: Deputy Director (Administration)

From: Legislative Counsel

Subject: CIA Legislative Program, 1952
Weekly Report No. 6

1. DD/A has informed this office that the Director has approved a request for a salary of \$18,000 per annum for the DCI and \$16,000 for the D/DCI.

2. A position paper on the request to grant CIA exemption from the Performance Rating Act of 1950 was received this week from AD/Personnel. A meeting will now be set up with the Civil Service Commission to discuss this problem.

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5. Legislative Counsel has been informed that it will be extremely difficult to secure passage of anything but the most essential legislation during the present session of the Congress. However, we will continue to prepare this proposed legislation and attempt to secure its enactment.

STAT

Walter L. Pforzheimer

Orig. & 1 - Add

1 - Col. Hansen
Approved For Release 2003/04/25 : CIA-RDP90-00610R000100060001-0

1 - Stayback

1 March 1952

Memorandum for: Deputy Director (Administration)

From: Legislative Counsel

Subject: Retroactive pay for CIA employees
Weekly Report No. 7

1. The House Appropriations Committee has before it the request for supplemental appropriations.

2. When this bill is reported out it should contain the necessary language to authorize CIA to make the retroactive payments arising out of last year's pay raise legislation. Careful check will be maintained to make certain that the language when reported will authorize CIA to make the necessary payments.

STAT

Walter L. Pforzheimer

Orig. & cy - Add

1 - Col. Hansen

1 - Comptroller

1 - Stayback

8 March 1952

Memorandum for: Deputy Director (Administration)

From: Legislative Counsel

Subject: Retroactive pay for CIA employees.
Weekly Report No. 8.

1. On 18 February the President submitted a supplemental budget to the House of Representatives which included the request for funds for the payment of retroactive increases similar to those allowed under the pay raise bill of 1951. The technical language submitted will empower CIA to make the necessary retroactive payments.

2. On 7 March the House Appropriations Committee reported out the Third Supplemental Appropriation Bill, 1952, which includes the appropriate language to authorize the retroactive pay.

3. This proposal is scheduled to be brought to the Floor of the House on 12 March and if approved will then be sent to the Senate.

STAT

Walter L. Pforzheimer

Orig. & 3 - Add.
1 - Col. Hansen
1 - Comptroller
1 - Stayback

15 March 1952

Memorandum for: Deputy Director (Administration)

From: Legislative Counsel

Subject: Retroactive pay for CIA employees.
Weekly Report No. 9.

The House has passed the Third Supplemental Appropriation Bill, 1952, which contains legal authority to pay the retroactive pay. The bill now goes to the Senate Appropriations Committee for consideration.

STAT

Walter L. Pforzheimer

Orig. & 3 - Add
1 - Col. Hansen
1 - Comptroller
1 - Stayback


23 May 1952

Memorandum for: Deputy Director (Administration)

Subject: CIA Legislative Program, 1952
Report No. 7.

On 23 May DD/A approved Legislative Counsel's recommendation that no substantive legislation be introduced by CIA into the present session of the Congress in the absence of an overriding emergency. This will, therefore, be the last report in this series for the current year.

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Walter L. Pforzheimer
Legislative Counsel

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5. In compliance with the request of Mr. Duvall, Clerk of the Independent Offices Subcommittee of the House Appropriations Committee, that CIA testify on Monday, 16 June, on the Soviet atomic energy program, Legislative Counsel informed Subcommittee Chairman Thomas that CIA was most reluctant to testify in connection with the appropriations of another agency, and that all the available intelligence on the Soviet atomic program had been given to the AEC. Mr. Thomas insisted that CIA appear and the matter was discussed with Mr. Dulles, Mr. Becker and Mr. Wolf. As a result, Mr. Dulles and Mr. Becker appeared before the Committee and stated why it would not be possible for them to testify in view of the precedent established regarding CIA non-appearances. The Committee was adamant and proposed to go into the matter further with the DCI and possibly on the Floor.

6. Mr. Dompierre, of the office of Senator Ferguson, called regarding the retirement application of [REDACTED]

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[REDACTED] who wished to retire under the special statute which permits retirement at the age of 50 after twenty years of service involving hazardous duty. Mr. Pforzheimer informed Mr. Dompierre on 19 June that [REDACTED] had sent his retirement check to CIA, which had forwarded it to the Civil Service Commission on 27 May and that CIA had forwarded his retirement application with a favorable recommendation to the Civil Service Commission on 13 June. Mr. Pforzheimer also pointed out that this would probably be a test case under the special statute, and that if the retirement application was not accepted, [REDACTED] would be re-employed by CIA. (Mr. Pforzheimer has Col. Baird's assurances on this point).

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7. Mr. Pforzheimer discussed with Mr. Dulles/Acting DCI

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Walter L. Pforzheimer
Legislative Counsel

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LEGISLATIVE HISTORY
Working File - JMC

PROPOSED DRAFT

Sec. 134 (a). There is hereby established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence, who shall be the head thereof. The Director may be appointed from the Armed Services or from civilian life by the President, by and with the advice and consent of the Senate.

The Director shall receive compensation at the rate of \$14,000 a year.

Provided, however, that, if the appointment be made from the Armed Services, such appointee shall not, so long as he may serve as such Director, be entitled to any status, office, rank or grade he may occupy or hold in the Armed Service or any appointment, perquisite, right, privilege or benefit incident to or arising out of any such status, office, rank or grade;

Provided, further, that, if a Director be appointed from the Armed Services, he shall, upon either removal from or relinquishment of such office of Director, be restored to any status, office, rank, or grade he may occupy or hold in the Armed Services, and shall receive any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade which he would otherwise be entitled to or would be entitled to receive had he remained in the Service instead of accepting the office of Director and acting as such;

Provided, further, that, in the event of the death of the Director, so appointed from the Armed Services, while serving in such position, his dependents shall be entitled to such compensation and benefits as they would have been entitled to had such Director maintained his status in the Armed Services; and

Provided, further, that, in the performance of his duties as Director of Central Intelligence, such appointee shall be subject to no supervision, control, restriction, or prohibition, (Armed Services or otherwise), other than would be operative with respect to him if he were in no way connected with the national military establishment or any component thereof.

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~~PROPOSED DRAFT~~

Sec. 104 (a). There is hereby established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence, who shall be the head thereof. The Director may be appointed from the Armed Services or from civilian life by the President, by and with the advice and consent of the Senate.

The Director shall receive compensation at the rate of \$14,000 a year.

Provided, however, that, if the appointment be made from the Armed Services, such appointee shall not, so long as he may serve as such Director, be entitled to any status, office, rank or grade he may occupy or hold in the Armed Service or any emolument, perquisite, right, privilege or benefit incident to or arising out of any such status, office, rank or grade;

Provided, further, that, if a Director be appointed from the Armed Services, he shall, upon either removal from or relinquishment of such office of Director, be restored to any status, office, rank, or grade he may occupy or hold in the armed services, and shall receive any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade which he would otherwise be entitled to or would be entitled to receive had he remained in the Service instead of accepting the office of Director and acting as such;

Provided, further, that, in the event of the death of the Director, so appointed from the Armed Services, while serving in such position, his dependents shall be entitled to such compensation and benefits as they would have been entitled to had such Director maintained his status in the Armed Services; and

Provided, further, that, in the performance of his duties as Director of Central Intelligence, such appointee shall be subject to no supervision, control, restriction, or prohibition, (armed services or otherwise), other than would be operative with respect to him if he were in no way connected with the national military establishment or any component thereof.

The provisos in the second and third alternatives, which concern themselves with the relinquishment by an appointee from the armed services of his status in such service, and provide further for his reinstatement in his branch of service upon his removal from, or relinquishment of, the position of Director, are identical and would serve as an acceptable solution to the problem.

In addition to the above proposals, it might be deemed advisable to include a paragraph containing substantially the same language as that used in Private Law 3 of the 80th Congress, (authorizing the appointment of Major General Laurence S. Kuter to the Interim Council of the Provisional International Civil Aviation Organization), or Private 428 of the 79th Congress, (authorizing the appointment of Lieutenant General Walter B. Smith as Ambassador to the Union of Soviet Socialist Republics), which would read substantially as follows:

"Provided further that, in the performance of his duties as Director of Central Intelligence, such appointee shall be subject to no supervision, control, restriction, or prohibition (armed services or otherwise), other than would be operative with respect to him if he were in no way connected with the national military establishment or any component thereof."

In addition, should the Director die in office, it would appear to be desirable to include a proviso providing the family of the Director, if appointed from the armed services, with the benefits which would normally accrue to such officer, had he remained in the armed services.

For your possible use, there is enclosed herewith a suggested draft incorporating the features outlined above.

Sincerely yours,

WALTER L. FOREHEIMER
Legislative Liaison Officer